

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6756

BILL NUMBER: HB 1115

NOTE PREPARED: Jan 1, 2012

BILL AMENDED:

SUBJECT: Spray Tanning.

FIRST AUTHOR: Rep. Borders

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill requires that a minor must have a signed, written statement by a parent or guardian before spray tanning may be applied to the minor.

The bill requires that when a minor is having the spray tanning applied while fully or partially nude that: (1) a parent or guardian must be on site; and (2) the spray tanning operator must be the same gender as the minor.

The bill establishes penalties for violations.

Effective Date: July 1, 2012.

Explanation of State Expenditures:

Explanation of State Revenues: The owner or operator of a spray tanning facility would be subject to a Class C infraction for a first violation or a Class B infraction for a second or subsequent unrelated violation. It is unknown how many violations might occur annually. If additional court cases occur and infraction judgments and court fees are collected, revenue to the state General Fund may increase. The maximum judgment for a Class C infraction is \$500, and \$1,000 for a Class B infraction, which would be deposited in the state General Fund.

If court actions are filed and a judgment is entered, a court fee of \$70 would be assessed, 70% of which would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court. In addition, some or all of the document storage fee (\$2), automated record keeping fee (\$5), judicial salaries fee (\$19), the public defense administration fee (\$5), the court administration fee

(\$5), and the judicial insurance adjustment fee (\$2) are deposited into the state General Fund.

Explanation of Local Expenditures:

Explanation of Local Revenues: If additional court actions are filed and a judgment is entered, local governments would receive revenue from the following sources. The county general fund would receive 27% of the \$70 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. Additional fees may be collected at the discretion of the judge and depending upon the particular type of case.

State Agencies Affected:

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources:

Fiscal Analyst: Chuck Mayfield, 317-232-4825.